

~~Generally  
Special Education~~

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2 It is the policy of Loudoun County Public Schools ("LCPS") to adhere to federal  
3 and state regulations as they have been promulgated by the United States Department  
4 of Education and the Virginia Board of Education to implement special education  
5 programs for children with disabilities, consistent with the Individuals with Disabilities  
6 Education Act ("IDEA"). In furtherance of this policy, LCPS will provide a free and  
7 appropriate public education to all children with disabilities, ages 2 through 21,  
8 inclusive, residing in Loudoun County.  
9

10 Parents and guardians are important partners with LCPS in its mission to provide  
11 children with disabilities a free and appropriate public education. LCPS values the role  
12 of a parent(s)/guardian(s) in the development of a child's Individualized Education  
13 Program ("IEP") and school staff will take steps to ensure that a parent(s)/guardian(s) of  
14 a child with a disability is present, or is afforded the opportunity to participate, in each  
15 child study, eligibility, and IEP meeting held for their child. During the development,  
16 review, and/or revision of a child's IEP, the input of the child's parent(s)/guardian(s) for  
17 enhancing the education of their child will be considered by the IEP team.  
18

19 ~~All children, ages 2-21 inclusive, residing in the County who are disabled and~~  
20 ~~need Special Education and/or Related Services shall be identified, located, evaluated,~~  
21 ~~and placed in the appropriate free education program. In those cases where a~~  
22 ~~particular program is not available within the public school system, Tuition Assistance~~  
23 ~~shall be provided under the Rules and Regulations established by the State Board of~~  
24 ~~Education.~~  
25

26 ~~In accordance with the above statement, as to the process of Identification,~~  
27 ~~Evaluation, and Placement, the following policies shall be incorporated in the areas of~~  
28 ~~Due Process Procedures, Testing and Evaluation Materials, Individualized Educational~~  
29 ~~Program, Least Restrictive Environment, and Parent or Guardian Consultation.~~  
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31 ~~A.——Due Process Procedures~~  
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33 ~~1.——In order to ensure that disabled children and their parents, or guardians,~~  
34 ~~are guaranteed procedural safeguards in the process of identification,~~  
35 ~~evaluation, and placement in Special Education Programs, the following steps~~  
36 ~~shall be taken:~~  
37

38 ~~Prior notice requesting permission for testing will be given, both written and oral,~~  
39 ~~in English, and in the primary language of the home and include the following~~  
40 ~~parent (guardian) rights:~~  
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- ~~• To know why the school system or agency is requesting the evaluation.~~
  - ~~• To know who is making the request - name(s) and position(s).~~
  - ~~• To have access to all school records relating to the child for whom the request is being made.~~
  - ~~• To refuse to permit the evaluation - in which case the Division Superintendent may, but is not required to, use mediation or due process hearing procedures to pursue the evaluation. The parent will be informed of applicable procedural Due Process Rights.~~
  - ~~• To be fully informed of the results of the evaluation.~~
  - ~~• To know that the evaluation will not take place without the knowledge and written approval of the parent or until Due Process Procedures have been exhausted.~~
- ~~2. Prior notice requesting permission for placement will also be given, both written and oral, in English and in the primary language of the home, including all of the parental rights outlined above along with the following:~~
- ~~• A detailed description of the action proposed or refused by the school system or agency.~~
  - ~~• Specification of any tests, reports, or other relevant factors upon which such action is based.~~
- ~~B. Testing and Evaluation Materials~~
- ~~In order to ensure that testing and evaluation materials utilized for the purpose of classification and placement of disabled children will be selected and administered so as not to be racially or culturally discriminatory, the following major factors will be taken into consideration:~~
- ~~The Examiner shall:~~
- ~~• Choose among appropriate tests to find those which are best suited for the individual being examined.~~

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~~• Remain aware of potential bias throughout test process and administer the test as fairly as possible.~~

~~• Take care to observe quality of responses provided by person being tested in a manner which goes beyond strictly scorable responses.~~

~~• Use supplementary testing to provide further data when cultural or racial bias is thought to be interfering with results.~~

~~• Summarize the test results in such a way that discriminatory effects are discussed and considered in the conclusions.~~

~~C. Individualized Educational Program~~

~~An Individualized Education Program (IEP) shall be developed for each child enrolled in a Special Education Program, either public or private. The IEP shall be~~

~~formulated in an individual planning conference with the parent(s) unless the parent(s) refuse to participate. The IEP shall include documentation of decisions reached about the goals, content, implementation, and evaluation of the child's educational program, and shall be reviewed at least annually with the child's parent(s).~~

~~D. Least Restrictive Environment~~

~~In order to ensure, that to the maximum extent appropriate, disabled children are educated with children who are not disabled, the following major program and operational procedures shall be established:~~

~~1. In the development of new programs for disabled children, emphasis shall be placed on those models that allow a student to be maintained in a regular classroom setting to the maximum extent possible and provide services on either an itinerant or resource basis.~~

~~2. Students being provided services through a self-contained model shall be housed in regular school buildings, scheduled into common school group activities such as field trips and lunch routine, and placed on an individual basis in regular classroom situations in various subject areas.~~

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~~3. With respect to the above, each child's placement shall be determined at least annually and be based on his or her Individualized Education Program. In addition, steps shall be taken to assure that implementation of this provision will not produce a harmful effect on the child or reduce the quality of services he or she requires.~~

~~E. Parent or Guardian Consultation~~

~~Parent or guardian consultation shall be a continuing process and include but not be limited to periodic progress reports on a child's Individualized Educational Program once placement has been made.~~

~~F. Full Educational Opportunity Goal~~

~~It is the goal of the Loudoun County Public Schools to provide full educational opportunities for all disabled children, ages birth - 21 inclusive, including appropriate career education, pre-vocational education, and vocational education.~~

~~[Former Policy 5-52]~~

Adopted: 8/11/70

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